IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE FOURTH DAY OF JULY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No. 19622 of 2001

Between:
T.C.Sunkanna

….. PETITIONER

AND
The Superintendent of Police,
Kurnool and 2 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.19622 of 2001

ORDER:

This writ petition is filed by the petitioner, seeking declaration that the action of the respondents in interfering with the civil matters, as illegal and without jurisdiction, and consequentially, sought for direction to the respondents not to interfere with the life and liberty of the petitioner

According to the petitioner, he is an agriculturist by occupation, and recently he has shifted to Kurnool, where he has started activity of selling paddy to Rice Mills collecting from the farmers. While so, on 25.01.2001 he purchased 220 bags of paddy from the 3rd respondent on mutually agreed upon conditions and the petitioner agreed to pay the price of paddy on or before 30.06.2001. The petitioner paid Rs.8,928/- towards purchase of paddy and other miscellaneous expenses, amounting to Rs.10,000/- and the petitioner obtained an endorsement from the 3rd respondent. It is stated that the petitioner approached the 3rd respondent on 01.07.2001 to pay the due amount, but the 3rd respondent refused to acknowledge the amount, stating that the price on June, 30th 2001 is lowest and he should be paid more than the price admitted, against the terms of the agreement dated 25.01.2001, on which, the petitioner refused.

It is further stated that keeping this in mind, the 3rd respondent hired some antisocial elements and threatened the petitioner with dire consequences, if the petitioner fails to heed to the demand of the 3rd respondent. It is further stated that on a complaint, the 2nd respondent

herein, in connivance with the 3rd respondent, started harassing the petitioner by calling the petitioner to the police station and pressurizing him to pay the amount as per the demand. It is stated that since the dispute between the petitioner and the 3rd respondent is of a civil nature, the respondents 1 and 2 have no right to interfere with the life and liberty of the petitioner. Hence the writ petition.

A counter is filed on behalf of the respondents by the Sub-Inspector of Police, IV Town Police Station, Kurnool, disputing and denying the allegations made by the petitioner. It is stated that the respondents are not aware of the purchase of paddy by the petitioner from the 3rd respondent and the alleged hiring of antisocial elements by the 3rd respondent against the petitioner. It was also stated in the counter that no complaints were received from any party either from the petitioner or from the 3rd respondent, and therefore, interfering with the life and liberty of the petitioner does not arise.

In view of the categorical counter, disputing and denying the allegations made by the petitioner, the writ petitioner is not entitled to any relief, and the writ petition is liable to be dismissed.

The Writ Petition is, accordingly, dismissed. No order as to costs.

_____

S.ANANDA REDDY,J

Dated: 04.07.2007
Dsr